IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 26TH MARCH 2007 / 5TH CHAITHRA 1929

WP(C).No. 10142 of 2007(G)

PETITIONERS:

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1. N.S.MOHANDAS,
   DRAFSMAN(MECHANICAL),
   KERALA STATE CO-OPERATION MARKETING FEDERATION
   LTD., ALAPPUZHA- 688 012.

2. K.RADHAKRISHNAN BABU,
   CIVIL SUB ENGINEER,
   KERALA STATE CO-OPERATIVE MARKETING FEDERATION LTD
   (COIR FED), ALAPPUZHA - 688 012.

BY ADV. SRI.ABRAHAM VAKKANAL
SRI.PAUL ABRAHAM VAKKANAL
SRI.BIJIMON C.CHERIAN
SMT.K.S.SUMITHA

RESPONDENTS:

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1. STATE OF KERALA REP.BY
   THE SECRETARY TO GOVT., INDUSTRIES (D) DEPARTMENT,
   SECRETARIAT, THIRUVANANTHAPURAM.

2. DIRECTOR OF COIR
   DEVELOPMENT (REGISTRAR OF COIR CO-OPERATIVE
   SOCIETY), COIR BHAVAN, NANDAVANAM,
   THIRUVANANTHAPURAM.

3. MANAGING DIRECTOR,
   KERALA STATE CO-OPERATIVE
   COIR MARKETING FEDERATION LTD NO.679 (COIR FED.),
   P.B.NO.4616, ALAPPUZHA.

BY GOVT. PLEADER SRI.P.N.SANTHOSH.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO. 10142 OF 2007 - G

Dated this the 26th day of March, 2007

J U D G M E N T

The petitioners are Draftsman (Mechanical) and Civil Sub Engineer of the third respondent- Federation. According to them, these are sanctioned posts approved by the Registrar and the same are included in the Recruitment Rules also. Their appointments were after complying with the procedure prescribed for selection and appointment to posts in the Co-operative Societies as laid down by the Government and the Registrar. However, their regularisation is being postponed on the ground that there is want of formal approval from respondents 1 and 2. The petitioners submit that similarly placed employees have approached this Court and by Ext.P14 judgment, this Court had directed as follows in para 6 of the judgment:-

> "6. In the above facts situation, I direct the second respondent to examine the entire matter afresh, in the light of Ext.R1(a). The date of appointment of the petitioners being prior to 25.4.1995, they be regularised in the posts, where they were working at the time of issuance of the Special Rules and consequential orders also

> be passed. This shall be done within three months from the date of production of a copy of this judgment."

The petitioners seek similar treatment for them also. The petitioners submit that they filed Exts.P16 and P17 representations in this regard. They now seek a direction to the second respondent to consider and pass appropriate orders on Exts.P16 and P17 on applying Ext.P14 in their case also.

2. I had heard learned counsel for the petitioners as also the learned Government Pleader appearing for respondents 1 and 2. In the nature of the order I propose to pass, I do not think it is necessary to issue notice to the third respondent.

3. Having heard learned counsel for the petitioner and the learned Government Pleader, I direct the second respondent to consider Exts.P16 and P17 representations filed by the petitioners in the light of Ext.P14 judgment if the same is applicable to the petitioners also. This shall be done within a period of six weeks from the date of receipt of a copy of this judgment. The petitioners shall produce a copy of this

writ petition as also a copy of this judgment before the second respondent for information and compliance.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

K.THANKAPPAN, J

Crl.Appeal NO. OF 2001

J U D G M E N T

DATED:13-02-2007